

REMARKS

I. Amendments

By this amendment, claims 1, 4-6 and 12-18 have been amended and claims 2, 3, 8, 9 and 11 have been cancelled.

Typographical and grammatical errors have also been corrected throughout the specification.

Some changes had previously been made by Preliminary Amendment. Applicants suspect they may not have been entered due to improper formatting. Therefore, those changes were also made again by this amendment in proper format.

No change of inventorship is necessitated by this amendment.

II. Discussion of the Restriction Requirement

Claims 1-34 have been subjected to a restriction requirement. Applicants previously elected to prosecute the claims of Group I, directed to compounds.

In the Office Action, the Examiner has chosen to withdraw claims 2, 3, 9 and 13 as directed to non-elected subject matter. The Applicants have attempted to amend their claims correspondingly. However, they have modified claim 13 rather than cancel it outright because it does contain some subject matter relevant to the elected species. Should the Examiner disagree with Applicants' characterization of the elected species as set forth in the pending claims as amended, Applicants respectfully request the Examiners' specific comments on the matter. Applicants believe that the Examiner's comments and withdrawn claims indicate that modifications to the definitions of R¹ and R³ are in order.

Accordingly, by this amendment, R¹ has been limited to aryl groups, in accordance with the restriction requirement in claims 1, 4-6, 12, 13-16 and 18; and R³ has been limited to certain groups in accordance with the restriction requirement in claims 1, 12, 14-16 and 18.

Also, the restriction requirement necessitated removal of one of the compounds from claim 17; and cancellation of claims 2, 3, 8, 9 and 11.

Therefore Applicants believe that their invention, as set forth in the pending claims as amended, is now in accordance with the restriction requirement.

III. Discussion of the Rejection under 35 U.S.C. Sec. 112, First Paragraph

Claims 4-7 have been rejected under 35 U.S.C. Sec. 112, first paragraph as allegedly lacking enablement for all hydrocarbon groups.

Applicants presume that this rejection is directed to the identity of R¹, with respect to claims 4-6.

By this amendment, claims 4-6 have been modified from the more general descriptor “hydrocarbon group” to the more specific “aryl group”, as necessitated by the restriction requirement. Applicants respectfully assert that there is sufficient support for enablement of aryl.

In claim 7, “hydrocarbon group” refers to the definition of R². Since cyclic hydrocarbon groups for R² are adequately defined in the specification at page 21, line 25 - page 22, line 16, Applicants assert that the term “hydrocarbon” in claim 7 is adequately enabled.

Therefore, Applicants respectfully request withdrawal of the Sec. 112, first paragraph rejection.

IV. Discussion of the Rejection under 35 U.S.C. Sec. 112, Second Paragraph

Claims 12 and 18 have been rejected under 35 U.S.C. Sec. 112, second paragraph as allegedly being indefinite due to the presence of extraneous brackets.

By this amendment, extraneous brackets have been removed from claims 12 and 18.

Therefore, Applicants respectfully request withdrawal of the Sec. 112, second paragraph rejection.

V. Discussion of the Rejection under 35 U.S.C. Sec. 103(a)

Claims 1, 4-8, 10-12 and 14-18 have been rejected under 35 U.S.C. Sec. 103(a) as allegedly being obvious in light of the teachings of Ko *et al.*, WO 00/35454. Applicants respectfully traverse this rejection.

The Examiner has made specific reference to p. 209, Example 3a in Table 4 of the cited reference, as a basis for the rejection. In 3a, both nitrogens of the ureido moiety are unsubstituted, wherein the compounds of the present invention have one ureido nitrogen which is always substituted, by virtue of R² in general formula I, in independent claims 1 and 18. In addition, the carbon chain linker (central portion of the molecule) in 3a is four carbons long, whereas it is only three carbons long in the presently claimed compounds of claims 1 and 18. These differences render the present invention non-obvious over the cited art with respect to the cited art compound 3a, as there is no incentive for making the required modifications.

Claim 11 has been cancelled. Claims 4-7, 10 and 12-16 depend upon claim 1. Applicants submit that the more specific dependent claims are also rendered non-obvious for the reasons provided above.

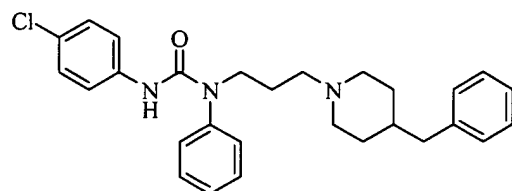
Moreover, Applicants respectfully request the Examiner's consideration of the compounds of Table 2, on page 158 of the cited reference. Even accounting for these additional compounds, Applicants assert that the aspects of their invention set forth in the pending claims as amended are non-obvious.

In particular, as stated above, the central linker of the compounds in the cited art is three carbons long, while the presently claimed compounds have a linker four carbons long. Moreover, by this amendment n has been limited to zero in the pending claims.

Applicants assert that there is no teaching or suggestion of their invention, as set forth in the pending claims as amended by the cited art.

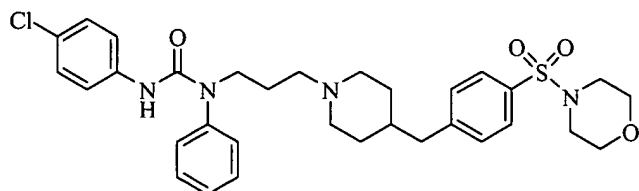
Applicants note that claim 17 has been made independent by this amendment. The structures of the remaining compounds recited in claim 17 are provided below, to assist the Examiner's evaluation of the claims.

N-[3-(4-benzyl-1-piperidiny)propyl]-N'-(4-chlorophenyl)-N-phenylurea (Example 2, free base)



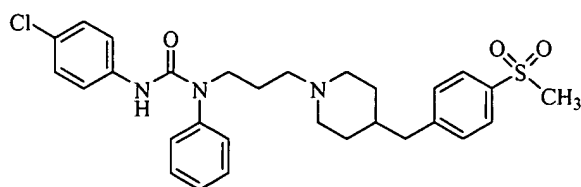
Example 2

N'-(4-chlorophenyl)-N-(3-{4-[4-(4-morpholinylsulfonyl)benzyl]-1-piperidiny}propyl)-N-phenylurea (Example 71, hydrochloride)



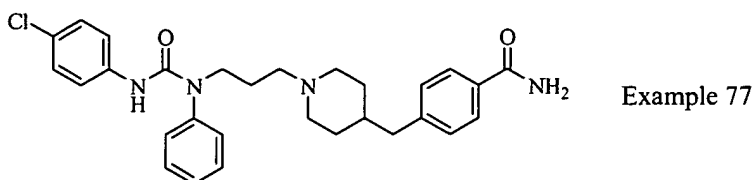
Example 71

N'-(4-chlorophenyl)-N-(3-{4-[4-(4-methylsulfonyl)benzyl]-1-piperidiny}propyl)-N-phenylurea (Example 72, hydrochloride)



Example 72

4-[[1-(3-[[[(4-chloroanilino)carbonyl]anilino]propyl)-4-piperidiny]methyl]benzamide (Example 77, free base)



Most particularly, Applicants do not believe that the specific compounds recited in claim 17 are rendered obvious by the cited art.

Therefore, Applicants respectfully request withdrawal of the Sec. 103(a) rejection.

VI. Conclusion

Reconsideration of the claims as amended and allowance is requested. Should the Examiner believe that a conference with Applicants' attorney would advance prosecution of this application, the Examiner is respectfully requested to call Applicants' attorney at (847) 383-3391.

Respectfully submitted,

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